

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JEFFREY HUNTER,

Plaintiff,

-against-

MEMORANDUM AND ORDER
12-CV-2278 (JS)(AKT)

WELLS FARGO & COMPANY,

Defendant.

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APPEARANCES:

For Plaintiff: Jeffrey Hunter, pro se
20 East Tiana Road
Hampton Bays, New York 11946

For Defendants: No appearances.

SEYBERT, District Judge:

On May 7, 2012, pro se plaintiff Jeffrey Hunter ("Plaintiff") commenced this action pursuant to the Age Discrimination in Employment Act, as codified, 29 U.S.C. §§ 621-634, as amended, and filed the instant application to proceed in forma pauperis. Upon review of the declaration accompanying Plaintiff's application, and for the reasons stated below, Plaintiff's request to proceed in forma pauperis is denied.

Plaintiff states in his declaration that he has collected \$18,000 in unemployment benefits during the last twelve months and reports that he presently has approximately \$2,800.00 in a checking and/or savings account. Plaintiff also states that he pays monthly rent of \$700.00 and that he does not financially support anyone other than himself.

To qualify for in forma pauperis status, the Supreme

Court has long held that "an affidavit is sufficient which states that one cannot because of his poverty pay or give security for the costs [inherent in litigation] and still be able to provide himself and dependents with the necessities of life." Adkins v. E.I. Du Pont De Nemours & Co., Inc., 335 U.S. 331, 339, 69 S. Ct. 85, 93 L. Ed. 43 (1948) (internal quotation marks and citations omitted). Plaintiff's affidavit fails to meet this standard.

Accordingly, Plaintiff's motion to proceed in forma pauperis is denied, and he is directed to pay the filing fee by **Tuesday, June 12, 2012**, or this action will be dismissed.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: May 24, 2012
Central Islip, New York